

Exhibit 53

**Transcript of the Testimony of
Amanda Brownson**

Date:

June 28, 2018

Case:

STATE OF TEXAS vs UNITED STATES

Amanda Brownson

June 28, 2018

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, et al)

)

VS.)

C.A. NO. 1:18-CV-00068

)

UNITED STATES OF AMERICA,)

et al)

)

VS.)

)

KARLA PEREZ, et al)

)

ORAL DEPOSITION OF AMANDA BROWNSON

JUNE 28, 2018

ANSWERS AND DEPOSITION OF AMANDA BROWNSON, a witness
called by Plaintiff, taken before Janalyn Elkins,
Certified Shorthand Reporter for the State of Texas, on
the 28th day of June, 2018, between the hours of 10:00
a.m. and 12:47 p.m., in the offices of Attorney General
for the State of Texas, 209 W. 14th Street, Suite 700,
Austin, Texas, pursuant to the agreement of counsel for
the respective parties as hereinafter set forth.

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A P P E A R A N C E S

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ALSO PRESENT:

Mr. Jade Sobh

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1 Q. And you never did that with your time with TEA?

2 A. I don't recall whether I ever did that or not.

3 Q. Would you agree that the State of Texas incurs
4 the cost to educate students no matter their immigration
5 status?

6 A. I would.

7 Q. So let's lay a few ground rules out for the
8 deposition today. Okay?

9 Have you ever been deposed before?

10 A. No.

11 Q. And do you realize that your testimony is under
12 oath?

13 A. I do.

14 Q. And that this carries the same penalties of
15 perjury as if you were testifying at trial?

16 A. I do.

17 Q. And I'm going to ask you today to only give
18 verbal answers, no head nod, uh-huhs, or huh-uhs. Make
19 sure you make a clear statement for the record. Okay?

20 A. Okay.

21 Q. And I'm going to let you finish your answer,
22 just make sure you let me finish my question, even if
23 you think you know what my question is asking. Just
24 make sure you let me finish before you answer. Okay?

25 A. Okay.

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1 A. Okay.

2 Q. Do you see Paragraph 2?

3 A. I do.

4 Q. It says, (Reading:) From 2013 to 2016, I served
5 as director of state funding at the TEA.

6 Did I read that correctly?

7 A. You did.

8 Q. And then you go on to say, (Reading:) During my
9 time at TEA, I directed the division of state funding
10 which was responsible for calculating and distributing
11 state aid payments under the Foundation School Program
12 and collecting recapture payments under the chapter
13 14 -- or Chapter 41 of the Texas Education Code.

14 Did I read that correctly?

15 A. You did.

16 Q. Can you explain one more time what the
17 Foundation School Program actually is?

18 A. The Foundation School Program is a set of
19 calculations set forth in Chapter 42 of the Texas
20 Education Code and Chapter 41 of the Texas Education
21 Code that directs the agency to make and calculate --
22 calculate and make state aid payments to school
23 districts and collect recapture payments from certain
24 school districts are what we call the property law.

25 Q. So based upon your time in this role and your

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1 understanding of the Foundation School Program, would
2 you agree that the state bears a portion of the cost for
3 educating students in public schools?

4 A. I would.

5 Q. So let's go to Paragraph 3 of your declaration
6 where it says, (Reading:) Prior to my time at TEA, I
7 served as a consultant at Moak, Casey & Associates where
8 a significant portion of my time was spent with
9 assisting school districts with state aid calculations
10 under the Foundation School Program.

11 Did I read that correctly?

12 A. You did.

13 Q. So based upon your time in this role, would you
14 agree that the state bears a portion of the cost for
15 educating students in public schools?

16 A. I would agree that the state -- there is a state
17 share of the cost of the Foundation School Program.

18 Q. So do you agree -- when I ask you a question, I
19 think -- if you don't understand what I'm trying to ask,
20 you can ask me to rephrase. But here I'm asking you,
21 would you agree, based upon your time in that role, if
22 the state -- that the state bears a portion of the cost
23 for educating students in public schools?

24 A. I think I did answer your question. I said
25 there is a state share portion of the cost of the

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1 A. Okay.

2 (Exhibit No. 8 was marked.)

3 BY MR. PEROYEA:

4 Q. Do you see the words "Carver High School"?

5 A. I do.

6 Q. Do you see where it says it is a school in
7 Houston, Texas?

8 A. I do.

9 Q. Do you see where it says that it's in the school
10 district of Aldine Independent School District?

11 A. I do.

12 Q. So let's go back to Ms. Adossi's declaration,
13 and let's flip to Page 2. And Paragraph 9 says,
14 (Reading:) I am a recipient of deferred action through
15 the initiative known as Deferred Action For Childhood
16 Arrivals.

17 Did I read that correctly?

18 A. You did.

19 Q. And we mentioned earlier that Dr. Adossi
20 graduated from George W. Carver High School in the top
21 10 percent of her class, correct?

22 A. Correct.

23 Q. So based upon your experience, would you agree
24 that the State of Texas incurred a portion of the cost
25 in educating Dr. Adossi as she made her way through the

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1 Texas public school system?

2 A. Again, I would say I would, which would be true
3 whether or not she had DACA.

4 Q. So I'm going to -- I didn't ask about DACA, so
5 I'm going to ask just the question itself one more time.

6 So based upon your experience, would you agree
7 that the State of Texas incurred a portion of the cost
8 of educating Dr. Adossi as she made her way through the
9 Texas public school system?

10 A. Again, I would say that that is true whether or
11 not she had DACA. And I don't know, based on this,
12 whether she had DACA at the time she was educated in the
13 public school system.

14 Q. So if a student like Dr. Adossi was eligible for
15 the compensatory education program, the State of Texas
16 would incur an additional cost in a student that did not
17 participate in the compensatory education program,
18 correct?

19 A. If any student participates in the compensatory
20 education program, they draw more funding than a student
21 who does not.

22 Q. You can put that away.

23 You read through Mr. Lopez's entire declaration,
24 correct?

25 A. Correct.

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1 disagreeing with whether we should hold that constant
2 here.

3 Q. All these numbers are making me think, so that's
4 why it takes me a while.

5 A. It's totally fine.

6 Q. So let's go back to your declaration where -- in
7 Paragraph 14, the very last sentence where -- do you see
8 where it says "according to the TEA website"?

9 A. Yes.

10 Q. (Reading:) According to the TEA website, the
11 State of Texas's share of education spending for public
12 schools has dropped from 49 percent in 2008 to
13 40 percent in 2018.

14 Did I read that correctly?

15 A. You did.

16 Q. In that statement, you're still acknowledging
17 that the State of Texas shares a portion of the
18 education cost for public schools, correct?

19 A. Correct.

20 Q. And, in your declaration, you site to what you
21 labeled as Table 1, correct?

22 A. Correct.

23 Q. Can you point out to me in your table where that
24 40 percent that you're talking about for 2018 to 2019?
25 What number would that be in your chart?

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CERTIFICATE FROM THE ORAL DEPOSITION OF
AMANDA BROWNSON
JUNE 28, 2018

I, Janalyn Elkins, a Certified Shorthand
Reporter in and for the State of Texas, do hereby
certify that the foregoing deposition is a full, true
and correct transcript;
That the foregoing deposition of AMANDA BROWNSON, the
Witness, hereinbefore named was at the time named, taken
by me in stenograph on June 28, 2018, the said Witness
having been by me first duly cautioned and sworn to tell
the truth, the whole truth, and nothing but the truth,
and the same were thereafter reduced to typewriting by
me or under my direction. The charge for the completed
deposition is \$_____ due from Plaintiff

1 () That pursuant to the Federal Rules of Civil
2 Procedure, the Witness shall have 30 days after being
3 notified by certified mail, return receipt requested, by
4 the deposition officer that the original deposition
5 transcript is available in her office for review and
6 signature by the Witness and if any corrections made are
7 attached hereto;

8 () That by agreement of counsel, a reading condensed
9 copy of the deposition transcript along with the
10 full-size original changes and Signature Sheet has been
11 sent to _____ on _____ for review and
12 signature within 30 days and if any corrections returned
13 are attached hereto;

14 () That by agreement of counsel, the deposition officer
15 is instructed to release the original deposition
16 transcript to _____ on _____, for review and
17 signature, and the deposition officer is thereafter
18 released of any further responsibility with regard to
19 the original.

20 () That the Witness shall have thirty (30) days for
21 review and signature of the original transcript and if
22 any corrections returned are attached hereto.

23 () That the signed transcript () was () was not received
24 from the Witness within 30 days.

25 () That the examination and signature of the Witness is

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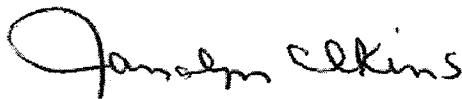
1 waived by the Witness and the parties;

2 That the amount of time used by each party at the
3 deposition is as follows:

4 MR. TRENT PEROEYEA (2:14)

5 I further certify that I am neither counsel for, related
6 to, nor employed by any of the parties in the action in
7 which this proceeding was taken, and further that I am
8 not financially or otherwise interested in the outcome
9 of the action.

10 WITNESS MY HAND, this the _____ day
11 of _____, A.D., 2018.

12
13 

14 JANALYN ELKINS
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